

## REMARKS

### Rejection under section 101

The rejection under section 101 is respectfully traversed. Claim 23 recites a graphical user interface that includes a screen. A screen is a conventional physical device. This screen does not fall into the category of questionable subject matter in the software/algorithm/mathematics/idca area of controversy at all. MPEP 2106 B. 1. a. states:

Computer programs are often recited as part of a claim. Office personnel should determine whether the computer program is being claimed as part of an otherwise statutory manufacture or machine. In such a case, the claim remains statutory irrespective of the fact that a computer program is included in the claim. The same result occurs when a computer program is used in a computerized process where the computer executes the instructions set forth in the computer program. Only when the claimed invention taken as a whole is directed to a mere program listing, i.e., to only its description or expression, is it descriptive material *per se* and hence nonstatutory.

Since any computer-related material here is operating within a statutory device, the invention is statutory.

### Art rejections

The art rejections are respectfully traversed.

Since the references are many and/or complex, Applicants will confine their remarks to those portions of the references cited by the Examiner, except as otherwise indicated. Applicants make no representation as to the contents of other portions of the references.

The Examiner's other rejections and/or points of argument not addressed would appear to be moot in view of the following. Nevertheless, Applicants reserve the right to respond to those rejections and arguments and to advance additional arguments at a later date. No arguments are waived and none of the Examiner's statements are conceded.

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Claim 23 recites *inter alia* that the screen is adapted for use in a horizontal plane. Against this recitation, the Examiner cites Flutka. Applicants have looked at Flutka. Looking at Fig. 4, element 20, they see that the screen, though recessed into the surface of a desk, is still very nearly vertical. Therefore, as far as Applicants can tell, the reference fails to teach or suggest that the screen is adapted to be used in a horizontal plane. Applicants accordingly respectfully submit that the Examiner has failed to make a *prima facie* case against claim 23.

Dependent claims.

The dependent claims recite additional patentable distinctions over the references.

For instance, claim 30 recites a table adapted for a respective user to sit adjacent to each personal selection zone. In the Straub reference, the zone referred to by the Examiner is arranged vertically along the right side of the screen. In the Flutka reference, there is a keyboard and part of a desk between the user and the screen. If the vertical strip of Straub were displayed on the screen of Flutka, Applicants do not understand how a user could sit adjacent to it. Applicants accordingly respectfully submit that the Examiner has failed to make a *prima facie* case against claim 30.

Claim 29 (erroneously stated to be claim 28 in page 4 of the office action) recites that the token zone is in the form of a carousel. Against this the Examiner cites element 144 of Straub. This element shows a mere scrollable straight strip. Applicants fail to see how this teaches or suggests a carousel. Does the Examiner know what a carousel is? In the preferred embodiment, an example is shown at 110. Applicants respectfully submit that the Examiner has failed to make a *prima facie* case against claim 29.

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Claim 24 recites a flow zone comprising a moving list of links. Against this recitation the Examiner cites Straub, fig. 5 and col. 8, lines 53-56 and lines 60-67. Applicants have reviewed these sections and the figure elements cited. Applicants do not find therein any teaching or suggestion of a moving list of links. The text says that the channels are displayed automatically. This does not mean that any list of links is moving. As far as Applicants can tell, the channels displayed do not flow; but are, instead, stationary awaiting scrolling in response to user selection of a scroll buttons 162 and 164. Applicants respectfully submit that the Examiner has failed to make a *prima facie* case against claim 24.

Claim 27

Claim 27 recites *inter alia* an agent control zone. The agent zone is for selecting filtering agents. Against this, the Examiner cites Fig. 7 of Straub. Fig. 7 shows display of a selected news channel. Applicants see no option for selecting filtering agents there. The accompanying text refers to a channel guide, but a channel guide fails to teach or suggest a filtering agent. A channel guide is a mere list of programming.

The following is a definition of "agent" from the online encyclopedia "Webopedia," a full printout of which is attached to this amendment. Applicants trust that the Examiner can see from this definition that a channel guide fails to teach or suggest an agent.

## agent

Last modified: Thursday, April 16, 2004

(n.) A program that performs some information gathering or processing task in the background. Typically, an agent is given a very small and well-defined task.

Although the theory behind agents has been around for some time, agents have become more prominent with the growth of the Internet. Many companies now sell software that enables you to configure an agent to search the Internet for certain types of information.

In computer science, there is a school of thought that believes that the human mind essentially consists of thousands or millions of agents all working in parallel. To produce real artificial intelligence, this school holds, we should build computer systems that also contain many agents and systems for arbitrating among the agents' competing results.

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Moreover, the Examiner has failed to indicate what aspects of any of the screen displays shown in Straub would correspond to an agent zone, a mode zone AND an annotation zone as recited in claim 27. Applicants therefore respectfully submit that the rejection fails to comply with 37 CFR 1.104.

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Applicants respectfully submit that they have answered each issue raised by the Examiner and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

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